

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**


MICHAEL L. BOGAN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 3:09CV705-HEH
	)	
THE ROOMSTORE, INC.,	)	
	)	
Defendant.	)	

**ORDER**  
**(Denying Defendants' Motion to Dismiss)**

This matter is before the Court on Defendants' Motion to Dismiss pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. For the reasons detailed in the accompanying Memorandum Opinion, the Motion to Dismiss is DENIED.

The Clerk is directed to send a copy of this Order to all counsel of record.

It is so ORDERED.

 /s/ \_\_\_\_\_  
Henry E. Hudson  
United States District Judge

Date: Jan. 29, 2010  
Richmond, VA